

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS**

**Faris Al-Helali**,  
**Plaintiff,**  
**v.**  
**MICHAEL CHERTOFF,**  
**AS THE DIRECTOR OF**  
**THE DEPARTMENT OF HOMELAND**  
**SECURITY**  
**Defendant**

**No.: 08 C 1396**

**A# 028190353**

**MOTION TO VACATE**

Plaintiff, Faris Al-Helali, by and through, REEM H. ODEH, of the LAW OFFICES OF BRODSKY & ODEH respectfully requests this Court pursuant to Federal Rule of Civil Procedure 60 (b) to enter an order vacating the order of April 29, 2008 dismissing this matter for want of prosecution:

1. On March 7, 2008, Faris Al-Helali (“Plaintiff”) filed this complaint for mandamus against the defendant MICHAEL CHERTOFF, et al. (“Defendant”) to adjudicate Plaintiff’s Application For Naturalization.
2. Defendant’s Application has been pending since October 8, 2003 and has yet to be adjudicated although he filed his application in a timely manner.
3. Since filing the Complaint Plaintiff’s counsel either did not receive notice of any court dates or through inadvertence did not docket the court date of April 29, 2008.
4. This case appeared on the Court’s call on April 29, 2008, however counsel did not know that this matter was set for that date and as a result the matter was dismissed for want of prosecution.
5. Counsel for plaintiff acted diligently in this matter and contacted Defendant’s counsel and prepared this motion to vacate immediately.

WHEREFORE, the Plaintiff prays that the Court:

- A. Enter an order vacating the order of April 29, 2008 dismissing this matter for want of prosecution.
- B. Grant such other and further relief as this Court sees proper under the circumstances.

Respectfully Submitted,

/s/ Reem Odeh  
Attorney for Plaintiff

Law Offices of Brodsky & Odeh  
Reem H. Odeh  
8 S. Michigan, Suite 3200  
Chicago, Illinois 60603  
312-701-3000  
312-701-3088(fax)